



February 4, 2005

SENATE BILL No. 17

DIGEST OF SB 17 (Updated February 3, 2005 1:14 pm - DI 106)

Citations Affected: IC 33-33; noncode.

Synopsis: Hendricks superior courts. Establishes two additional superior courts in Hendricks County on January 1, 2007. Allows the judges of the existing Hendricks superior courts and the circuit court to jointly appoint one full-time magistrate to serve the courts until January 1, 2007. (The introduced version of this bill was prepared by the commission on courts. Hendricks County is ranked fourth by severity of need in the 2003 Weighted Caseload Statistical Report.)

Effective: July 1, 2005.

Lawson C

January 4, 2005, read first time and referred to Committee on Judiciary.
February 3, 2005, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

C
o
p
y

SB 17—LS 6220/DI 69+



February 4, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 17

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 33-33-32-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There are established ~~three (3)~~ **five (5)** superior courts of record to be known as:

- (1) Hendricks superior court No. 1;
- (2) Hendricks superior court No. 2; ~~and~~
- (3) Hendricks superior court No. 3;
- (4) **Hendricks superior court No. 4; and**
- (5) **Hendricks superior court No. 5.**

(b) Except as otherwise provided in this chapter, each Hendricks superior court is a standard superior court as described in IC 33-29-1.

(c) Hendricks County comprises the judicial district of each court.

SECTION 2. IC 33-33-32-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Change of venue from the judge or from the county may be had under the same terms, conditions, and procedure applicable to changes of venue from the judge or the county in circuit courts.

(b) If a cause is received by the clerk of the Hendricks circuit court

SB 17—LS 6220/DI 69+



C
o
p
y

on change of venue from another county, the cause shall be docketed on a rotating basis and assigned alternately to the:

- (1) Hendricks circuit court;
- (2) Hendricks superior court No. 1;
- (3) Hendricks superior court No. 2; ~~and~~
- (4) Hendricks superior court No. 3;
- (5) **Hendricks superior court No. 4; and**
- (6) **Hendricks superior court No. 5;**

unless otherwise provided in the order or entry made in ~~such~~ the cause in the county from which ~~such~~ the change of venue was taken, in which case it shall be docketed as provided in the entry or order.

SECTION 3. [EFFECTIVE JULY 1, 2005] (a) **Notwithstanding IC 33-33-32-2 and IC 33-33-32-5, both as amended by this act, the:**

- (1) **Hendricks superior court No. 4; and**
- (2) **Hendricks superior court No. 5;**

as added by this act, are not established until January 1, 2007.

(b) **The initial election of the judges of the:**

- (1) **Hendricks superior court No. 4; and**
- (2) **Hendricks superior court No. 5;**

added by IC 33-33-32-2, as amended by this act, is the general election on November 7, 2006. The terms of the two (2) judges initially elected under this subsection begin January 1, 2007.

(c) **This SECTION expires January 2, 2007.**

SECTION 4. [EFFECTIVE JULY 1, 2005] (a) **The judges of the:**

- (1) **Hendricks superior court No. 1;**
- (2) **Hendricks superior court No. 2;**
- (3) **Hendricks superior court No. 3; and**
- (4) **Hendricks circuit court;**

may jointly appoint one (1) full-time magistrate under IC 33-23-5 to serve the courts.

(b) **A magistrate appointed under this SECTION continues in office until:**

- (1) **removed by the judges of the courts; or**
- (2) **January 1, 2007;**

whichever occurs first.

(c) **This SECTION expires January 2, 2007.**

C
o
p
y



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 17, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 26, delete "and".

Page 2, line 27, after "3;" insert "**and**".

Page 2, between lines 27 and 28, begin a new line block indented and insert:

"(4) Hendricks circuit court;".

Page 2, line 29, delete "superior".

Page 2, line 32, delete "superior court;" and insert "**courts;**".

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 17 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 11, Nays 0.

C
o
p
y

